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LETTER DATED 17 APRIL 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and with reference to our previous letters on the subject, the most recent of which was my letter dated 31 March 1998 addressed to you (S/1998/302) concerning the fact that officials and personnel of the Special Commission had violated their signed undertakings to the United Nations by making statements and disseminating information on the activities of the Special Commission, I should like to inform you, with the greatest regret, that these deleterious practices have not ceased. The most recent example is the statement made to The New York Times by the Deputy Executive Chairman of the Special Commission, Mr. Charles Duelfer, and published in its issue for 15 April 1998. It contains his evaluation of the results of the visits made to the presidential sites and a quotation from his report, which the Secretary-General had yet to transmit to the Security Council at the time the interview was published.

The fact that Mr. Duelfer informed the press of his views and of the substance of his report before informing the Security Council represents a violation of his signed undertaking to the United Nations (as reproduced in the annex to document S/1998/303), paragraph (c) of which reads as follows:

> "Unless specifically authorized by the Executive Chairman, I shall not accept speaking engagements or make statements to, or grant interviews with the press, radio, television or other agencies of public information during my assignment with UNSCOM;".

It also represents contempt for the Security Council on Mr. Duelfer's part and an action ultra vires, inasmuch as information was published in the press of which the Security Council had not been informed. At the same time, the Special Commission is a subsidiary organ of the Security Council and not an independent entity.

In my letter dated 31 March 1998 I stated that we had noted that, most regrettably, it is Special Commission officials and personnel from particular countries who are violating the undertakings they have given to respect the confidentiality of information in order to serve the political objectives of the States of which they are nationals. The recent statements made by Mr. Charles Duelfer, a United States national, confirm this fact and also

confirm the need for the United Nations to be more attentive to ensuring the impartiality of officials operating under its flag.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative